

BYLAW NO. 1242-04
OF THE
TOWN OF BONNYVILLE

A BYLAW OF THE TOWN OF BONNYVILLE IN THE PROVINCE OF ALBERTA TO REGULATE THE TRANSPORTATION OF DANGEROUS GOODS AND TO REPEAL BYLAW NO. 999-88 AND BYLAW NO. 1155-98.

WHEREAS, the Council of the Town of Bonnyville, duly assembled, deems it advisable to set forth the terms and conditions to regulate transportation of dangerous goods in and through the Town of Bonnyville;

WHEREAS, the Municipal Council of the Town of Bonnyville deems it necessary to amend the said Transportation of Dangerous Goods ByLaw No. 999-88 and The Dangerous Goods Route ByLaw No. 1155-98.

WHEREAS, the Council of the Town of Bonnyville may pass bylaws for promoting the health, safety and welfare of the inhabitants.

WHEREAS, the Council of the Town of Bonnyville desires to pass a bylaw to regulate the transportation of dangerous goods in and through the Town of Bonnyville.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF BONNYVILLE IN THE PROVINCE OF ALBERTA, PURSUANT TO THE AUTHORITY VESTED IN IT BY SECTION 17(2) OF THE DANGEROUS GOODS TRANSPORTATION AND HANDLING ACT, RSA 2000, CHAPTER D-4 HEREBY ENACTS AS FOLLOWS:

1. This bylaw may be cited as the "Transportation of Dangerous Goods Bylaw."
2. Definitions in the Dangerous Goods Transportation and Handling Act, RSA 2000, Chapter D-4 and regulations pursuant to the Act, as applicable; and the definitions of the Traffic Safety Act, RSA 2000, Chapter T-6 are adopted for the purposes of interpretation and the application of this by-law.
3. No person shall transport within the corporate limits of the Town of Bonnyville, any dangerous goods for which placards are required by the ~~Transportation~~ of Dangerous Goods Transportation and Handling Act and regulations, in any motor vehicle other than on an approved Dangerous Goods Route as shown on the map in Appendix "A" attached to and forming part of this by-law, and, as identified to and forming part of this by-law; and, as identified as such by signs as shall be posted and set out in the Appendix "C" attached to and forming part of this by-law, unless the said person is:

Handwritten signature and initials, possibly 'DW' and 'ch', written in black ink.

- a) obtainaing dangerous goods from or delivering dangerous goods to a location in Bonnyville; or,
- b) proceeding to or from a vehicle storage location;

by the most direct route between Dangerous Goods Routes.

4. Notwithstanding Paragraph 3., where a person is required to transport dangerous goods off a designated Dangerous Goods Route, a permit may be issued by the Municipality or the Fire Chief by telephoning or writing to:

MUNICIPALITY: Bag 1006, Bonnyville, Alberta T9N 2J7 (826-3496)

FIRE CHIEF : Bag 1006, Bonnyville, Alberta T9N 2J7 (826-3496)

5. No person transporting dangerous goods for which placards are required shall stop within the municipality except:

- a) at a permitted storage location – meaning any area which is at least one hundred and fifty meters (150 m.) away from the nearest residential, institutional or assembly occupancy and is approved by the fire chief;
- b) to load or unload;
- c) in compliance with a Peace Officer, an inspector or a traffic control device;
- d) to refuel or repair vehicle;
- e) in compliance with a valid permit.

6. A person shall, when requested by a Peace Officer, produce for such officer's inspection, any shipping document, a permit issued pursuant to this by-law, or other documents showing the origin and destination of the trip and a description of the load.

Particulars obtained by a Peace Officer under this section and submitted by him as evidence in Court shall be prima facie proof of the particulars the ron submitted in evidence, without proof of the signature of official capacity of the person signing the shipping document.

7. **Powers of Police**

- a) A notice or form commonly called a Traffic Tag may be issued by

a Peace Officer to any person alleged to have breached any provision of this by-law, and the said notice shall require the payment in the amount, not exceeding five hundred dollars (\$500.00) as specified in Appendix "B" for that particular breach of this by-law. Whether or not a voluntary penalty will be allowed will be left to the judgement of the Peace Officer or other official handling the case.

- b) A Traffic Tag shall be deemed to be sufficiently served:
 - i) if served personally on the accused; or,
 - ii) if mailed to the address of the registered owner of the vehicle concerned; or, to the person concerned; or,
 - iii) if attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.
- c) Nothing in this by-law shall prevent any person from defending a charge of committing a breach of this by-law.
- d) Any person who commits a breach of any of the provisions of this by-law shall on conviction for such breach, be liable to a penalty not exceeding one thousand dollars (\$1,000.00), exclusive of costs or imprisonment in case of non-payment, for a term not exceeding six (6) months; or, both a fine and imprisonment.

8. This Bylaw shall come into force on the date of its approval by the Minister responsible for Alberta Transportation.

9. Bylaws 999-88 and 1155-98 of the Town of Bonnyville are hereby repealed.

INTRODUCED AND GIVEN FIRST READING this 27th day of January, A.D., 2004.

[Signature]
Mayor

[Signature]
Chief Administrative Officer

GIVEN SECOND READING this 27th day of January, A.D., 2004.

KPWiebe

Mayor

[Signature]

Chief Administrative Officer

APPROVED BY THE MINISTER RESPONSIBLE FOR ALBERTA TRANSPORTATION,
OR DELEGATED REPRESENTATIVES THIS 6th DAY OF April 2004,
A.D., 2004.

[Signature]

SIGNATURE

GIVEN THIRD AND FINAL READING this 27th day of April, A.D.,
2004.

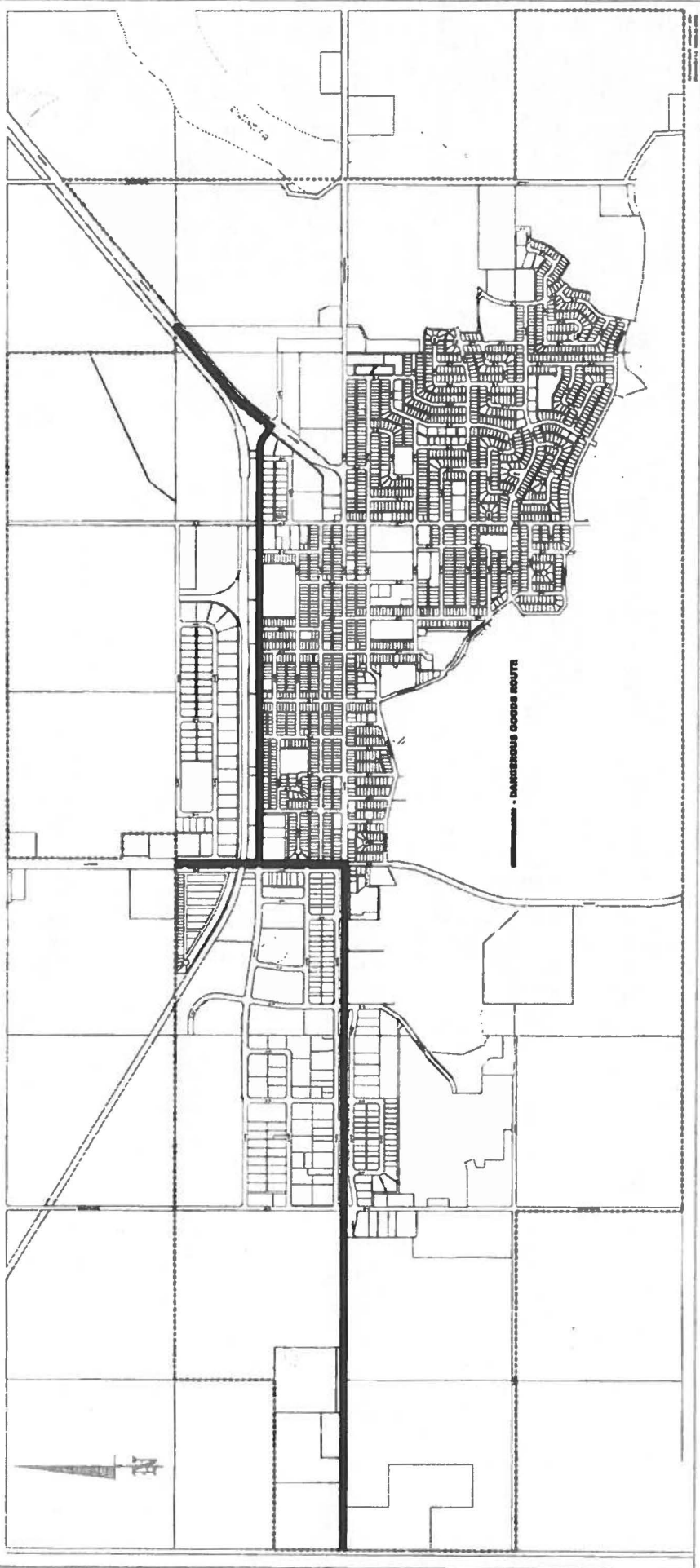
KPWiebe

Mayor

[Signature]

Chief Administrative Officer

TOWN OF BONNYVILLE
BYLAW NO. 1242-04
SCHEDULE "A"



**TOWN OF BONNYVILLE
BYLAW NO. 1242-04
SCHEDULE "B"
SCHEDULE OF FINES**

- | | | |
|----|--|----------|
| 1. | Drive Vehicle carrying Dangerous Goods contrary to the By-law | \$500.00 |
| 2. | Stop vehicle carrying Dangerous Goods contrary to the By-law | \$500.00 |
| 3. | Fail to produce documents which identify origin and destination of trip and a description of the load contrary to the By-law | \$500.00 |

**TOWN OF BONNYVILLE
BYLAW NO. 1242-04
SCHEDULE "C"**

Dangerous Goods Route Signs

Dangerous Goods Route signs will be used to indicate regulations solely to the movement on streets and highways of vehicles classified as dangerous goods carriers.

Dangerous Goods Route Sign (RB-69)

The Dangerous Goods Route Sign indicates that dangerous goods carriers, as prescribed by legislation, are permitted to travel along a street or highway.

The sign shall be supplemented with proper advance and directional arrows (1B-5 to 1B-9) to indicate a turn or a change in the direction of a designated route. Advance turn arrows shall be installed at a point not less than 50 m. nor more than 150 m. in advance of an intersection where the route changes direction.

The tab sign (RB-69T) may be used for an educational period.

The signs shall be reflectorized or illuminated to show the same color and shape by night as by day.

Dangerous Goods Prohibition Sign (RB-70)

The Dangerous Goods Prohibition Sign indicates that dangerous goods carriers, as prescribed by legislation, are prohibited from travelling upon a street or highway.

The sign will be installed along the street or highway on which the dangerous goods carriers are prohibited, at the point at which such street or highway intersects a Dangerous Goods Route, to prohibit the illegal entry of these vehicles.

The tab sign (RB-70T) may be used for an educational period.

The signs shall be reflectorized or illuminated to show the same color and shape by night as by day.